UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,687	07/25/2003	Silvia Prajescu	CWC-238	1054

28080 7590 07/01/2004

CRAIG WILSON
2570 MATHESON BLVD. EAST
SUITE 211
MISSISSAUGA, ON L4W 4Z3
CANADA

EXAMINER	
RINEHART, KENNETH	

ART UNIT	PAPER NUMBER
3749	

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/626,687	PRAJESCU ET AL.
	Examiner	Art Unit
	Kenneth B Rinehart	3749

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *9-17* is/are allowed.

6)☒ Claim(s) *1-6 and 8* is/are rejected.

7)☒ Claim(s) *7* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *7/25/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed 12/24/2003 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered. There are no copies of Canadian patents 925971, and 926957.

Oath/Declaration

No receipt is acknowledged of papers filed under 35 U.S.C. 119 (a)-(d) based on an application filed in Canada on 03/07/2003. Additionally, the prior foreign application number is missing in the Declaration. Applicant has not complied with the requirements of 37 CFR 1.63(c), since the oath, declaration or application data sheet does not acknowledge the filing of any foreign application. A new oath, declaration or application data sheet is required in the body of which the present application should be identified by application number and filing date.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 4, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riddle et al. Riddle et al discloses a rotatable drum (26, fig. 1), a first motor (44, fig. 1); a drum transmission connected between the first motor and the drum (43, fig. 1), the first motor adapted

to drive the drum transmission to rotate the drum (fig. 1); an air exhaust passageway for exhausting air from the drum out the dryer (50, fig. 1); a fan mounted in the air exhaust passageway for drawing air from the drum and exhausting air out of the dryer (48, fig. 1); and a second motor adapted to rotate the fan (54, fig. 1), and the second motor comprising ... motor (fig. 1), the first motor includes a first shaft and the drum transmission comprises a first pulley mounted to the first shaft and a continuous belt extending around the first pulley and the dryer drum (fig. 1), the fan comprises a tangential fan having an axis of rotation adapted to draw air towards the axis of rotation and then radially out from the fan, and the second motor has a second shaft adapted to connect with the fan and rotate the fan about its axis of rotation (54, 48, fig. 1). Riddle discloses applicant's invention substantially as claimed with the exception of a two pole self speed regulated induction, the first motor is a four pole induction motor, the second motor has a variable speed in the range of 3300 rpm to 1800 rpm. At the time the invention was made it would have been an obvious matter of design choice to a person of ordinary skill in the art to have a two pole self speed regulated induction, the first motor is a four pole induction motor, the second motor has a variable speed in the range of 3300 rpm to 1800 rpm because applicant has not disclosed that the types of motor or speeds provides an advantage, is used for a particular purpose or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with either the motors and speeds of Riddle or the claimed motors and speeds because both motors and speeds perform the same function of compensating for ducting length and bends, etc. equally well.

Claims 1, 2, 4, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riddle et al in view of Smith. Riddle et al discloses a rotatable drum (26, fig. 1), a first motor

(44, fig. 1); a drum transmission connected between the first motor and the drum (43, fig. 1), the first motor adapted to drive the drum transmission to rotate the drum (fig. 1); an air exhaust passageway for exhausting air from the drum out the dryer (50, fig. 1); a fan mounted in the air exhaust passageway for drawing air from the drum and exhausting air out of the dryer (48, fig. 1); and a second motor adapted to rotate the fan (54, fig. 1), and the second motor comprising ... motor (fig. 1), the first motor includes a first shaft and the drum transmission comprises a first pulley mounted to the first shaft and a continuous belt extending around the first pulley and the dryer drum (fig. 1), the fan comprises a tangential fan having an axis of rotation adapted to draw air towards the axis of rotation and then radially out from the fan, and the second motor has a second shaft adapted to connect with the fan and rotate the fan about its axis of rotation (54, 48, fig. 1). Riddle discloses applicant's invention substantially as claimed with the exception of a two pole self speed regulated induction, the first motor is a four pole induction motor, the second motor has a variable speed in the range of 3300 rpm to 1800 rpm. Smith teaches a two pole self speed regulated induction, the second motor has a variable speed in the range of 3300 rpm to 1800 rpm (col. 3, lines 1-4) for the purpose of providing higher air pressures. It would have been obvious to one of ordinary skill in the art to modify Riddle by including a two pole self speed regulated induction as taught by Smith for the purpose of higher air pressures so that the drier operates more efficiently. Riddle et al in view of Smith discloses applicant's invention substantially as claimed with the exception of the first motor is a four pole induction motor. At the time the invention was made it would have been an obvious matter of design choice to a person of ordinary skill in the art to have the first motor is a four pole induction motor because applicant has not disclosed that the type of motor or speeds provides an advantage, is used for a

particular purpose or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with either the motor of Riddle or the claimed motor because both motors perform the same function of rotating the drum equally well.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Riddle as applied to claim1 above, and further in view of Gladysz. Riddle discloses applicant's invention substantially as claimed with the exception of the drum transmission further includes an idler pulley adapted to engage the endless belt and maintain the endless belt in tension about the dryer drum and the first pulley. Gladysz teaches the drum transmission further includes an idler pulley adapted to engage the endless belt and maintain the endless belt in tension about the dryer drum and the first pulley (40, fig. 1) for the purpose of preventing belt wear. It would have been obvious to one of ordinary skill in the art to modify Riddle by including the drum transmission further includes an idler pulley adapted to engage the endless belt and maintain the endless belt in tension about the dryer drum and the first pulley as taught by Gladysz for the purpose of preventing belt wear to reduce maintenance costs associated with the dryer.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Riddle in view of Smith as applied to claim1 above, and further in view of Gladysz. Riddle in view of Smith discloses applicant's invention substantially as claimed with the exception of the drum transmission further includes an idler pulley adapted to engage the endless belt and maintain the endless belt in tension about the dryer drum and the first pulley. Gladysz teaches the drum transmission further includes an idler pulley adapted to engage the endless belt and maintain the endless belt in tension about the dryer drum and the first pulley (40, fig. 1) for the purpose of

preventing belt wear. It would have been obvious to one of ordinary skill in the art to modify Riddle by including the drum transmission further includes an idler pulley adapted to engage the endless belt and maintain the endless belt in tension about the dryer drum and the first pulley as taught by Gladysz for the purpose of preventing belt wear to reduce maintenance costs associated with eth dryer.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Riddle as applied to claim1 above, and further in view of Frohbieter. Riddle discloses the second motor has a second shaft connected directly to the ... of the fan to rotate the fan (fig. 1). Riddle discloses applicant's invention substantially as claimed with the exception of center hubs. Frohbieter teaches the center hubs (fig. 7) for the purpose of allowing the fan to rotate. It would have been obvious to one of ordinary skill in the art to modify Riddle by including the center hubs as taught by Frohbieter for the purpose of allowing the fan to rotate so that an air flow is created.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Riddle in view of Smith as applied to claim1 above, and further in view of Frohbieter. Riddle discloses the second motor has a second shaft connected directly to the ... of the fan to rotate the fan (fig. 1). Riddle in view of Smith discloses applicant's invention substantially as claimed with the exception of center hubs. Frohbieter teaches the center hubs (fig. 7) for the purpose of allowing the fan to rotate. It would have been obvious to one of ordinary skill in the art to modify Riddle by including the center hubs as taught by Frohbieter for the purpose of allowing the fan to rotate so that an air flow is created.

Allowable Subject Matter

Claims 9-17 are allowed.

Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to driers in general: Song et al (6647643), Rattner (4677761).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B Rinehart whose telephone number is 703-308-1722. The examiner can normally be reached on 7:30 -4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ira Lazarus can be reached on 703-308-1935. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KBR

KENNETH RINEHART
PRIMARY EXAMINER